

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**GUILLERMO GARCIA-SOTO,**

**Defendant.**

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**Case No. 8:13CR7**

**ORDER**

**RE: MATERIAL WITNESS  
ALFREDO FRANCO-MONTOYA**

This matter is before the court on the Material Witness, Alfredo Franco-Montoya's, Motion to Take Deposition [39], and Motion to Review Detention [45]. Upon review of the file, I find that the Motion to Review Detention should be denied, and the Motion to Take Deposition should be granted. The government shall proceed in taking the deposition of the Material Witness on or before 12:00 Noon, on February 22, 2013.

**IT IS ORDERED:**

1. The Material Witness, Alfredo Franco-Montoya's, Motion to Review Detention [45] is denied.

2. The Motion to Take Deposition [39] is granted. The Material Witness, Alfredo Franco-Montoya, shall be produced to the government for deposition on or before 12:00 Noon on February 22, 2013, or the Material Witness shall be released.

Dated this 7<sup>th</sup> day of February, 2013.

BY THE COURT:

S/ F. A. Gossett, III  
United States Magistrate Judge